

So Ordered.

Signed this 13 day of September, 2021.



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Diane Davis  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

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In re:

Case No.: 21-60506-6-dd

Ashley M. Derby

Chapter 7

Debtor

**ORDER TERMINATING THE AUTOMATIC STAY**

On Aug. 17, 2021 by way of default, the Motion (the “Motion”) of NewRez LLC d/b/a Shellpoint Mortgage Servicing (the “Movant”), came before the Court, for relief from the automatic stay with respect to the premises known as **3119 County Route 4, Fulton, NY 13069** (the “Premises”). This Court, having considered the matter, and with good cause appearing therefor, it is hereby:

**ORDERED**, that the automatic stay in effect pursuant to 11 U.S.C. § 362(a), is hereby terminated pursuant to 11 U.S.C. § 362(d) as to Movant, its agents, assigns or successors in interest, so that Movant, its agents, assigns or successors in interest, may take any and all action under applicable state law to exercise its remedies against the Premises, including commencement of foreclosure proceedings;

**ORDERED**, that the stay invoked pursuant to F.R.B.P. 4001(a)(3) is hereby waived;

**ORDERED**, that Movant is awarded reasonable attorneys' fees in the amount of \$738.00 plus costs in the amount of \$188.00, representing the filing fee of the Motion, to be paid out of any surplus proceeds after the sale;

**ORDERED**, that the Trustee shall be served with a copy of the referee's report of sale within thirty (30) days of the report, and shall be noticed with any surplus monies realized from the sale of the Premises; and it is further

**ORDERED**, that the Movant, through its agents, servicers and representatives is/are permitted to contact Debtor and/or Debtor's counsel for the purpose of engaging in discussions and consideration for possible loss mitigation options, solutions and/or resolutions with regard to the underlying mortgage and note, including, but not limited to loan modification or other loss mitigation alternatives.

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